

## Message Text

UNCLASSIFIED

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51

ACTION OES-05

INFO OCT-01 ARA-10 EUR-12 IO-10 ISO-00 ACDA-10 CIAE-00

INR-07 L-02 NSAE-00 NSC-05 RSC-01 FEAE-00 PM-03 MC-02

SP-02 EB-07 COME-00 TRSE-00 DODE-00 H-02 DOTE-00 /079 W

----- 023273

R 141445Z JAN 75

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 1715

INFO USMISSION IAEA VIENNA

AMEMBASSY MEXICO

USMISSION EC BRUSSELS

AEC GERMANTOWN

AMCONSUL ZAGREB

UNCLAS BELGRADE 182

E.O. 11652: N/A

TAGS: TECH YO

SUBJ: AMENDMENTS TO AEC PHYSICAL SECURITY REGULATIONS

REF: (A) STATE 266834 (B) BELGRADE 6246 (C) USMISSION IAEA VIENNA

A-299

OF JUNE 25, 1974

1. ON JAN 7, DR. PREDAR NIKOLIC OF YUGOSLAV FONSECRETARIAT  
READ TO EMBOFF A WRITTEN RESPONSE TO EMBASSY'S DEC 13 NOTE  
CONVEYING SUBSTANCE OF REF (A). UPON REQUEST, NIKOLIC GAVE  
EMBOFF THE WRITTEN TEXT REMARKING THAT IT WAS "UNOFFICIAL AND  
UNSIGNED." IT IS QUOTED BELOW WITH UNDERLINING AS IN ORIGINAL  
TEXT. (C&R NOTE: UNDERLINED PORTIONS WILL BE SHOWN TO START  
AND END WITH DOLLAR SIGNS (\$\$)).

2. QUOTE: WITH REFERENCE TO YOUR NOTE NO. 40 OF 13 DECEMBER  
1974 ADVISING US OF AMENDMENTS TO TITLE 10, UNITED STATES CODE  
OF FEDERAL REGULATIONS, SECTION 73, WHICH DEALS WITH PHYSICAL  
SECURITY OF NUCLEAR MATERIALS, I HAVE BEEN AUTHORIZED TO INFORM  
YOU THAT THE COMPETENT YUGOSLAV AUTHORITIES HAVE STATED THAT YOUR  
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PROPOSED AMENDMENTS TO PARAGRAPHS 73.32, ESPECIALLY TO PARAGRAPH

73.34 ARE IN CONTRADICTION WITH THE RELAVANT ARTICLES OF THE TRI-PARTITE AGREEMENTS BETWEEN THE GOVERNMENT OF THE SFRY, THE GOVERNMENT OF THE USA AND THE INTERNATIONAL ATOMIC ENERGY AGENCY (SIGNED AT VIENNA ON 14 JUNE 1974). THE AGREEMENT FOR THE SUPPLY OF URANIUM ENRICHMENT SERVICES FOR THE NUCLEAR POWER PLANT "KRSKO" CONTAINS AN EXPLICIT PROVISION (ART. 3 AND 4) WHEREBY NUCLEAR FUEL, THAT IS, URANIUM - 233 OR 235, AS WELL AS PLUTONIUM, ARE TAKEN OVER BY THE "KRSKO" NUCLEAR POWER PLANT (\$\$\$) AT THE USA COAST (\$\$\$) AND "KRSKO" IS TO (\$\$\$) SECURE THE SHIPMENT (\$\$\$) ALL THE WAY TO THE SITE OF THE POWER PLANT.

LIKEWISE IT IS STATED IN ARTICLE 3 OF THE AGREEMENT BETWEEN YUGOSLAVIA AND THE ATOMIC AGENCY IN VIENNA THAT THE (\$\$\$) TRANSPORTER (\$\$\$) OF THE NUCLEAR MATERIALS FROM THE USA IS (\$\$\$) CHOSEN (\$\$\$) BY THE "KRSKO" NUCLEAR POWER PLANT, IN CONFORMITY WITH THE YUGOSLAV REGULATIONS.

IT IS CLEAR FROM THE FOREGOING THAT THE AMENDMENTS TO TITLE 10 OF THE US CODE OF FEDERAL REGULATIONS ARE AT VARIANCE WITH THE AGREED PROCEDURE FOR THE SHIPMENT OF NUCLEAR MATERIALS TO THE "KRSKO" NUCLEAR POWER PLANT. IT IS GENERALLY RECOGNIZED IN INTERNATIONAL LAW THAT INTERNATIONAL AGREEMENTS (SIGNED BETWEEN OUR TWO COUNTRIES AT VIENNA ON 14 JUNE 1974) HAVE (\$\$\$) GREATER FORCE (\$\$\$) THAT THE (\$\$\$) INTERNAL (\$\$\$) REGULATIONS OF THE USA (IA AM REFERRING TO PARAGRAPHS 73:32 AND 73:34); THEREFORE, THE INTERNTIONAL AGREEMENT OF 1974 MUST BE APPLIED WITH RESPECT TO THE SUPPLY OF THE "KRSKO" NUCLEAR POWER PLANT, AND (\$\$\$) NOT (\$\$\$) THE AMENDED TITLE 10 OF UNITED STATES CODE. END QUOTE.

3. EMBASSY WILL APPRECIATE RECEIVING RESPONSE TO THIS GOY POSITION.  
TOON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW, PHYSICAL SECURITY, AMENDMENTS, NUCLEAR POWER PLANTS, FISSIONABLE MATERIALS TRANSFER  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 14 JAN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
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**Errors:** N/A  
**Film Number:** D750014-0293  
**From:** BELGRADE  
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**Office:** ACTION OES  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 266834, 75 BELGRADE 6246  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** buchant0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 APR 2003  
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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** AMENDMENTS TO AEC PHYSICAL SECURITY REGULATIONS  
**TAGS:** TECH, YO  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006